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**FORM**  
**N-288B**  
 (Rev. 1996)

STATE OF HAWAII — DEPARTMENT OF TAXATION  
**Application for Withholding Certificate**  
**for Dispositions by Nonresident**  
**Persons of Hawaii Real Property**  
**Interest**

Copy A - For State of Hawaii, Department of Taxation

(File Copies A and B of this form with the Department of Taxation.)  
 (Please be sure to attach ALL supporting documentation. If not  
 attached, your application will be rejected.)  
 (See Instructions on the back of Copy B)

1 Name of Applicant (Transferor/seller)		Identification number (SSN or FEIN)
Mailing address where you want withholding certificate sent		Daytime phone no. of applicant ( )
City, State, and ZIP code (province, postal code, and country)		

2 Names of all transferor/sellers (Attach additional sheets if more than one transferor/seller.)		Identification number (SSN or FEIN)
Address (number and street)		
City, State, and ZIP code (province, postal code, and country)		

3 Names of all transferee/buyers (Attach additional sheets if more than one transferee/buyer.)		Identification number (SSN or FEIN)
Address (number and street)		
City, State, and ZIP code (province, postal code, and country)		

4 Description of Hawaii real property transaction:

**a** Date of transfer (month, day, year) \_\_\_\_\_

**b** Location and general description of property (Include tax map key number)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

5 Check the box to indicate the reason a withholding certificate should be issued.  
**NOTE:** The transferor/seller is required under section 235-92, HRS, to file an income tax return whether or not the person derives a taxable gain.

☐ **a** The transferor/seller will not realize any gain with respect to the transfer. (Complete **5a** on the back of Copy A.)

☐ **b** There will be insufficient proceeds to pay the withholding required under section 235-68(b), Hawaii Revised Statutes, after payment of all costs, including selling expenses and the amount of any mortgage or lien secured by the property. (Complete **5b** on the back of Copy A.)

6 Was the property used at anytime as a rental? ..... Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, enter your general excise/use tax license number.	General Excise/Use Tax License Number
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**Please**  
**Sign**  
**Here**

I hereby declare under penalties provided by section 231-36, HRS, that I have examined this application and accompanying attachments, and, to the best of my knowledge and belief, they are true, correct, and complete.

➤ \_\_\_\_\_ Signature \_\_\_\_\_ Title (If applicable) \_\_\_\_\_ Date \_\_\_\_\_

➤ \_\_\_\_\_ Spouse's signature (If applicable) \_\_\_\_\_ Title (If applicable) \_\_\_\_\_ Date \_\_\_\_\_

FOR OFFICIAL USE ONLY:

Approved: \_\_\_\_\_ 19 \_\_\_\_\_ Disapproved: \_\_\_\_\_ 19 \_\_\_\_\_

Amount required to be withheld \$ \_\_\_\_\_

Signature \_\_\_\_\_

Form N-288B  
(Rev. 1996)

5a. Calculation and written justification showing that the transferor/seller will not realize any gain with respect to the transfer. Attach a copy of a tentative statement from your escrow company for this transaction showing the gross sales price. Also attach a copy of your closing escrow statement from your purchase or acquisition of this property.

1. Sales Price

\$

2. Cost or other basis (including selling expenses). *Attach a schedule or list below.*  
(If you checked "Yes" on line 6, page 1, provide your adjusted basis for the property, i.e., cost less depreciation. Also attach a copy of your depreciation schedule.)

3. Line 1 minus line 2. (If greater than zero, you **DO NOT** qualify for a waiver of the withholding. Do not file this form with the State of Hawaii, Department of Taxation.)

\$

5b. Calculation and written justification showing that there will be insufficient proceeds to pay the withholding required under section 235-68(b), Hawaii Revised Statutes, after payment of all costs, including selling expenses and the amount of any mortgage or lien secured by the property. Attach a copy of a tentative statement from your escrow company for this transaction showing the distribution of funds received.

1a. Sales price

\$

1b. Sales proceeds to be received in forms other than cash (describe)

1c. Sales proceeds to be received in cash (Line 1a minus line 1b)

2a. Selling expenses. *Attach a schedule or list below.*

\$

2b. Mortgage(s) secured by the property sold to be paid off with cash proceeds.

2c. Other (list):

3. Add lines 2a through 2c

4. Amount to be withheld. Line 1c minus line 3 (If less than zero, enter zero.) 

\$

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STATE OF HAWAII — DEPARTMENT OF TAXATION  
**Application for Withholding Certificate**  
**for Dispositions by Nonresident**  
**Persons of Hawaii Real Property**  
**Interest**

Copy B — To be returned to Transferor/seller

(File Copies A and B of this form with the Department of Taxation.)  
 (Please be sure to attach ALL supporting documentation. If not  
 attached, your application will be rejected.)  
 (See Instructions on the back of Copy B)

1 Name of Applicant (Transferor/seller)		Identification number (SSN or FEIN)
Mailing address where you want withholding certificate sent		Daytime phone no. of applicant ( )
City, State, and ZIP code (province, postal code, and country)		

2 Names of all transferor/sellers (Attach additional sheets if more than one transferor/seller.)		Identification number (SSN or FEIN)
Address (number and street)		
City, State, and ZIP code (province, postal code, and country)		

3 Names of all transferee/buyers (Attach additional sheets if more than one transferee/buyer.)		Identification number (SSN or FEIN)
Address (number and street)		
City, State, and ZIP code (province, postal code, and country)		

4 Description of Hawaii real property transaction:

a Date of transfer (month, day, year) \_\_\_\_\_

b Location and general description of property (Include tax map key number)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

5 Check the box to indicate the reason a withholding certificate should be issued.  
**NOTE:** The transferor/seller is required under section 235-92, HRS, to file an income tax return whether or not the person derives a taxable gain.

☐ a The transferor/seller will not realize any gain with respect to the transfer. (Complete **5a** on the back of Copy A.)

☐ b There will be insufficient proceeds to pay the withholding required under section 235-68(b), Hawaii Revised Statutes, after payment of all costs, including selling expenses and the amount of any mortgage or lien secured by the property. (Complete **5b** on the back of Copy A.)

6 Was the property used at anytime as a rental? ..... Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, enter your general excise/use tax license number.	General Excise/Use Tax License Number
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**Please**  
**Sign**  
**Here**

I hereby declare under penalties provided by section 231-36, HRS, that I have examined this application and accompanying attachments, and, to the best of my knowledge and belief, they are true, correct, and complete.

➤ \_\_\_\_\_ Signature \_\_\_\_\_ Title (If applicable) \_\_\_\_\_ Date \_\_\_\_\_

➤ \_\_\_\_\_ Spouse's signature (If applicable) \_\_\_\_\_ Title (If applicable) \_\_\_\_\_ Date \_\_\_\_\_

FOR OFFICIAL USE ONLY:

Approved: \_\_\_\_\_ 19 \_\_\_\_\_ Disapproved: \_\_\_\_\_ 19 \_\_\_\_\_

Amount required to be withheld \$ \_\_\_\_\_

Signature \_\_\_\_\_

# Instructions for Form N-288B

## Application for Withholding Certificate for Dispositions by Nonresident Persons of Hawaii Real Property Interest

### General Instructions

#### Purpose of Form

Use Form N-288B to apply for a withholding certificate to waive or adjust withholding on dispositions by nonresident persons of Hawaii real property interest. Use this form only for applications based on (1) a claim that the transferor/seller will not realize any gain with respect to the transfer, or (2) a claim that there will be insufficient proceeds to pay the withholding required under section 235-68(b), Hawaii Revised Statutes (HRS), after payment of all costs, including selling expenses and the amount of any mortgage or lien secured by the property. If a nonresident transferor/seller transfers two or more Hawaii real property interests, one Form N-288B should be filed for each property transferred.

#### Who Can Apply for a Withholding Certificate

The transferor/seller can file Form N-288B. If two or more nonresident transferors/sellers jointly transfer a Hawaii real property interest, a separate Form N-288B should be filed for each nonresident transferor/seller applying for a withholding certificate. One Form N-288B should be filed for a husband and wife if they will be filing a joint return for the year in which they transferred their Hawaii real property interest.

#### Withholding Certificate

Upon receipt of Form N-288B, the State of Hawaii, Department of Taxation shall determine whether the transferor/seller has realized or will realize any gain with respect to the transfer, or whether there will be insufficient proceeds to pay the withholding. After the form has been approved or disapproved, a copy of the form will be returned to the transferor/seller, who shall thereafter transmit the form to the transferee/buyer.

If the Department of Taxation is satisfied that no gain will be realized, the Department of Taxation will waive the withholding requirement and the transferee/buyer is not required to withhold any tax. The transferee/buyer shall attach a copy of the Form N-288B to Forms N-288 and N-288A, which must still be filed with the Department of Taxation. If the waiver from the withholding requirement is approved after the amount withheld has been paid over to the Department, the amount shall be refunded to the transferor/seller. A refund of the amount of overpaid taxes may be obtained by filing Form N-288C, Application for Tentative Refund of Withholding on Dispositions by Nonresident Persons of Hawaii Real Property Interests.

If the Department of Taxation is satisfied that there will be insufficient proceeds to pay the withholding, the Department of Taxation will adjust the amount required to be withheld and the transferee/buyer shall withhold the adjusted amount and submit the payment, Form N-288, Form N-288A, and Form N-288B to the Department of Taxation. If the adjustment of the amount required to be withheld is approved after the amount withheld has been paid over to the Department, the amount paid in excess of the adjusted amount required to be withheld shall be refunded to the transferor/seller. A refund of the amount of overpaid taxes may be obtained by filing Form N-288C, Application for Tentative Refund of Withholding on Dispositions by Nonresident Persons of Hawaii Real Property Interests.

#### When to File Form N-288B

Form N-288B must be filed with the State of Hawaii, Department of Taxation no later than 10 working days prior to the date of transfer (closing date). **Forms N-288B filed later than 10 working days prior to the date of transfer will not be accepted and will be returned to the transferor/seller.** Timely mailing of Form N-288B by U.S. mail will be treated as timely filed.

#### Where To Send Form N-288B

**Copies A and B** of Form N-288B must be mailed or hand delivered to the

taxation district office listed below which is located in the county where the closing of the sale is taking place, or the county in which the property is located. After the form has been approved or disapproved, copy B of Form N-288B will be returned to the transferor/seller at the address specified on Line 1. If copy B of Form N-288B is not submitted, a copy of the form will not be returned to the transferor/seller.

### Specific Instructions

**Line 2.** Enter "Same as line 1" unless you are entering another address. If you entered a mailing address on line 1 that is not your actual address, enter your actual address on line 2. If there are multiple transferor/sellers, attach additional sheets giving the required information about each one.

**Line 3.** Enter the name, address, and identification number (SSN or FEIN), if any, of the transferee/buyer. If there are multiple transferee/buyers, attach additional sheets giving the required information about each one.

**Line 4.** Enter the appropriate information. In 4b, enter the address and description of the property. Include the tax map key number.

**Line 5.** If 5a is checked, 5a on the back of Copy A must be completed. If 5b is checked, 5b on the back of Copy A must be completed.

**NOTE:** *The transferor/seller is required under section 235-92, HRS, to file an income tax return whether or not the person derives a taxable gain.*

**Line 6.** If the property was used as a rental property at anytime by the transferor/seller(s), check the box marked "yes" and fill in the appropriate general excise/use tax license number. If not, check the box marked "no".

#### Back of Copy A

**Line 5a(1).** Enter the gross sales price from the sale. Attach a copy of a tentative statement from your escrow company for this transaction showing the gross sales price.

**Line 5a(2).** In general, the cost or adjusted basis is the cost of the property plus purchase commissions and improvements, minus depreciation (if applicable). Increase the cost or other basis by any expense of sale, such as commissions and state transfer taxes. Attach a copy of your closing escrow statement from your purchase or acquisition of this property, invoices for improvements, depreciation schedules, and any other evidence of the basis of the property.

**Line 5b(1a).** Enter the gross sales price from the sale. Attach a copy of a tentative statement from your escrow company for this transaction showing the distribution of funds received.

**Line 5b(1b).** Enter the amount of sales proceeds to be received in forms other than cash, such as an agreement of sale or purchase money mortgage.

**Line 5b(2a).** Enter any expense of sale, such as commissions and state transfer taxes.

**Line 5b(2c).** Enter any other cost associated with the sale of the property, such as liens secured by the property.

#### Signature

Form N-288B must be signed by an individual, a responsible corporate officer, a general partner of a partnership, or a trustee, executor, or other fiduciary of a trust or estate. If Form N-288B is being filed by a husband and wife, both must sign the form. In addition, Form N-288B may be signed by an authorized agent with a power of attorney.

### MAILING ADDRESSES

OAHU DISTRICT OFFICE  
OFFICE AUDIT BRANCH - N-288B  
P. O. BOX 259  
HONOLULU, HAWAII 96809-0259  
(830 PUNCHBOWL STREET, #228)  
(808) 587-1660

MAUI DISTRICT OFFICE  
RE: N-288B  
P. O. BOX 1169  
WAILUKU, HAWAII 96793-6169  
(54 S. HIGH STREET)  
(808) 984-8500

HAWAII DISTRICT OFFICE  
RE: N-288B  
P. O. BOX 833  
HILO, HAWAII 96721-0833  
(75 AUPUNI STREET, #101)  
(808) 974-6321

KAUAI DISTRICT OFFICE  
RE: N-288B  
3060 EIIWA STREET, #105  
LIHUE, HAWAII 96766-1889  
(808) 274-3456